

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

VICTORIA BYRGE CHILDS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

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No. 3:07-cv-85
(Phillips/Guyton)

ORDER

On August 4, 2008, the Honorable H. Bruce Guyton, United States Magistrate Judge, issued a Report and Recommendation ("R&R") [Doc. 19], in which he recommended that plaintiff's Motion for an Award of Fees and Expenses Under the Equal Access to Justice Act [Doc. 17] be denied. Judge Guyton found that the Commissioner's position was substantially justified such that plaintiff was not entitled to an award of fees under the Equal Access to Justice Act. The deadline for timely objections has passed with no such objections having been filed. Accordingly, the R&R is **ACCEPTED IN WHOLE**, which the court adopts and incorporates into this ruling, whereby plaintiff's Motion for an Award of Fees and Expenses Under the Equal Access to Justice Act [Doc. 17] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge